

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

AMY STRACHAN

Plaintiff,

v.

GC SERVICES, LP,

Defendant.

§ No. 3:14-cv-4138

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**PLAINTIFF'S COMPLAINT**

AMY STRACHAN ("Plaintiff"), through attorneys, KROHN & MOSS, LTD., alleges the following against GC SERVICES, LP ("Defendant"):

**INTRODUCTION**

1. Plaintiff's Complaint is based on the Fair Debt Collection Practices Act, 15 U.S.C. 1692 et seq. (FDCPA).
2. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

**JURISDICTION AND VENUE**

3. Jurisdiction of this court arises pursuant to 15 U.S.C. 1692k(d), which states that such actions may be brought and heard before "any appropriate United States district court without regard to the amount in controversy."
4. Defendant conducts business in the state of Texas; therefore, personal jurisdiction is established.
5. Venue is proper pursuant to 28 U.S.C. 1391(b)(2).

## **PARTIES**

6. Plaintiff is a natural person residing in Dallas, Dallas County, Texas.
7. Plaintiff is a consumer as that term is defined by 15 U.S.C. 1692a(3), and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by 15 U.S.C. 1692a(5).
8. Defendant is a debt collector as that term is defined by 15 U.S.C. 1692a(6), and sought to collect a consumer debt from Plaintiff.
9. Defendant is a national company located in Houston, Texas.
10. Defendant, in the ordinary course of business, regularly, on behalf of itself or others, engages in debt collection.

## **FACTUAL ALLEGATIONS**

11. Defendant places collection telephone calls to Plaintiff in an attempt to collect an alleged debt.
12. Plaintiff's alleged debt arises from transactions for personal, household, and/or family purposes.
13. Defendant places collection calls to Plaintiff at 972-851-34XX.
14. In or around September of 2014, Defendant placed a collection call to Plaintiff and left a voicemail message.
15. In the voicemail message, Defendant's representative failed to disclose the name of the company placing the call, failed to state that the call was being placed by a debt collector, and failed to state that the call was being placed to collect an alleged debt. *See* Transcribed Voicemail Message attached hereto as Exhibit "A."
16. In the voicemail message, Defendant's representative directed Plaintiff to return the call to 972-746-4582, which is a number that belongs to Defendant. *See* Exhibit "A."

17. Defendant is using false, deceptive and misleading means in connection with attempting to collect a debt by not identifying the purpose of its phone calls or that they are an attempt to collect a debt.

**COUNT I**  
**DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

18. Defendant violated the FDCPA based on the following:

- a. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to harass, oppress, or abuse Plaintiff;
- b. Defendant violated §1692d(6) of the FDCPA by placing collection calls to Plaintiff without meaningful disclosure of the caller's identity.
- c. Defendant violated § 1692e of the FDCPA by using false, deceptive or misleading representations or means in connection with the collection of the debt;
- d. Defendant violated § 1692e(10) of the FDCPA by using deceptive means in an attempt to collect a debt;
- e. Defendant violated § 1692e(11) of the FDCPA by failing to disclose in its communications with Plaintiff that the communication was from a debt collector.

WHEREFORE, Plaintiff, AMY STRACHAN , respectfully requests judgment be entered against Defendant, GC SERVICES, LP, for the following:

- 19. Statutory damages pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k.
- 20. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. 1692k
- 21. Any other relief that this Honorable Court deems appropriate.

RESPECTFULLY SUBMITTED,

Dated: November 20, 2014

By: /s/ Ryan S. Lee

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